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## PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: GOUGH ET AL.

APPLICATION No.: 09/997,322

FILED: November 27, 2001

FOR: METHOD AND APPARATUS FOR THE  
PRODUCTION, DELIVERY, AND RECEIPT OF  
AUDIOVISUAL E-MAIL (AS AMENDED)

EXAMINER: Unassigned

ART UNIT: Unassigned

CONF. NO: 3459

RECEIVED

SEP 18 2002

Technology Center 2100

**Information Disclosure Statement Within Three Months of  
Application Filing or Before First Action – 37 CFR 1.97(b)**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

1. Timing of Submission

This information disclosure is being filed within three months of the filing date of this application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever occurs last [37 CFR 1.97(b)]. The references listed on the enclosed Form PTO-1449 (modified) may be material to the examination of this application; the Examiner is requested to make them of record in the application.

2. Cited Information

Copies of the following references are enclosed:

- All cited references listed on PTO Form 1449  
 References marked by asterisks  
 The following:

Copies of the following references can be found in parent U.S. Application No. 09/401,026, which is U.S. Patent No. 6,360,221 B1:

- All cited references  
 References marked by asterisks on the 4<sup>th</sup> page of PTO Form 1449  
 The following:

The following references are not in English. For each such reference, the undersigned has enclosed (i) a translation of the reference; (ii) a copy of a communication from a foreign patent office or International Searching Authority citing the reference, (iii) a copy of a reference which appears to be an English-

language counterpart, or (iv) an English-language abstract for the reference prepared by a third party. Applicant has not verified that the translation, English-language counterpart or third-party abstract is an accurate representation of the teachings of the non-English reference, though, and reserves the right to demonstrate otherwise.

- All cited references
- References marked by ampersands
- The following:

3. Effect of Information Disclosure Statement (37 CFR 1.97(h))

This Information Disclosure Statement is not to be construed as a representation that: (i) a search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the cited information is, or is considered to be, material to patentability. In addition, applicant does not admit that any enclosed item of information constitutes prior art to the subject invention and specifically reserves the right to demonstrate that any such reference is not prior art.

4. Fee Payment

No fees are believed due. However, should the Commissioner determine that fees are due in order for this Information Disclosure Statement to be considered, the Commissioner is hereby authorized to charge such fees to Deposit Account No. 50-2207.

5. Patent Term Adjustment (37 CFR 1.704(d))

- The undersigned states that each item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this statement. 37 C.F.R. § 1.704(d).

Respectfully submitted,  
Perkins Coie LLP

  
\_\_\_\_\_  
Paul L. Hickman  
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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> Form PTO-1449 (Modified) SEP 13 2002 (Use several sheets if necessary) 4 Pages of PTO 1449				<b>COMPLETE IF KNOWN</b>	
Sheet	1	of	4	Application Number	09/997,322
				Confirmation Number	3459
				Filing Date	November 27, 2001
				First Named Inventor	Gough et al.
				Group Art Unit	Unassigned
				Examiner Name	Unassigned
				Attorney Docket No.	59333-8026.US02

<b>U.S. PATENT DOCUMENTS</b>						
Examiner Initials	Cite No.	U.S. Patent or Application		Name of Patentee or Inventor of Cited Document	Date of Publication or Filing Date of Cited Document	Pages, Columns, Lines, Where Relevant Figures Appear
		NUMBER	Kind Code (if known)			
	A	6,351,763 B1		Motoyoshi Kawanaka	02/26/2002	
	B	6,327,612 B1		Takeshi Watanabe	12/04/2001	RECEIVED SEP 18 2002
	C	6,275,849 B1		Reiner Ludwig	08/14/2001	Technology Center 2100
	D	6,253,231 B1		Toshiya Fujii	06/26/2001	
	E	6,167,395		Beck et al.	12/26/2000	
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#### FOREIGN PATENT DOCUMENTS

Examiner Initial	Cite No.	Foreign Patent or Application			Name of Patentee or Applicant of Cited Document	Date of Publication or Filing Date of Cited Document	Pages, Columns, Lines, Where Relevant Figures Appear	T
		Office	NUMBER	Kind Code (if known)				
	K		7-325827			09/21/1999		
	L		10-171727			09/21/1999		
	M		EP 0 340 039 B1			09/21/1999		
	N		EP 0 816 0990 A2			09/21/1999		

#### OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published.	T
	O	Yourdon, Java, the Web and Software Development, IEEE 1996	
	P	World Wide Web e-mail service provider Hotmail (hereinafter "Hotmail") available through the web site <a href="http://www.msn.com">http://www.msn.com</a> provided by the Microsoft Corporation, Exhibit A, pages 1 through 3 enclosed herewith is a print out of another feature of Hotmail called Mail Handling.	

EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not criteria is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application(s).	

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Sheet	2	of	4	Attorney Docket No.	59333-8026.US02

<b>U.S. PATENT DOCUMENTS</b>					
Examiner Initials	Cite No.	U.S. Patent or Application		Name of Patentee or Inventor of Cited Document	Date of Publication or Filing Date of Cited Document
		NUMBER	Kind Code (if known)		
	Q	5,396,588		Horst Fressl	03/07/1995
	R	6,167,434		Stephen Y. Pang	12/26/2000
	S	5,793,972		Terence Shane	08/11/1998
	T	5,740,252		Minor et al.	04/14/1998
	U	5,659,729		Jakob Nielsen	08/19/1997
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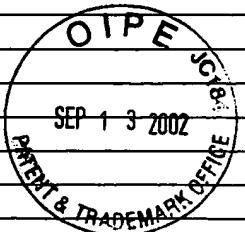
Examiner Initial	Cite No.	Foreign Patent or Application			Name of Patentee or Applicant of Cited Document	Date of Publication or Filing Date of Cited Document	Pages, Columns, Lines, Where Relevant Figures Appear	T
		Office	NUMBER	Kind Code (if known)				

#### OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published.	T
	AA	Real Networks, Inc. (hereinafter "RealNetworks") a corporation with headquarters at 2601 Elliott Avenue, Suite 1000, Seattle, WA 98121, offers a line of products that include Real Player and Real Audio and the like. Versions these products may be downloaded from the Internet at <a href="http://www.real.com">http://www.real.com</a> .	
	BB	Exhibit B is a print out of a page from Activegrams with the address: <a href="http://www.activegrams.com?cgi-bin/viewactivegrams.cgi?dadbdy">http://www.activegrams.com?cgi-bin/viewactivegrams.cgi?dadbdy</a> on 9/26/99.	

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Sheet	3	of	4	Attorney Docket No.	59333-8026.US02


  
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		NUMBER	Kind Code (if known)		
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	DD	5,806,043		Adrian Toader	09/08/1998
	EE	5,513,126		Harkins et al.	04/30/1996
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	HH	5,774,534		Mayer	06/30/1998
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	JJ	5,694,616		Johnson et al.	12/2/1997

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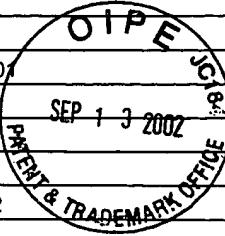
Examiner Initial	Cite No.	Foreign Patent or Application			Name of Patentee or Applicant of Cited Document	Date of Publication or Filing Date of Cited Document	Pages, Columns, Lines, Where Relevant Figures Appear	T
		Office	NUMBER	Kind Code (if known)				

#### OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS

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	KK	Exhibit C, which is a print out of a page from Activegrams with the address: <a href="http://www.activegrams.com?cgibin/viewactivegrams?cgi?1411215ki">http://www.activegrams.com?cgibin/viewactivegrams?cgi?1411215ki</a> on 9/21/99.	

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		Office	NUMBER			
LL		6,014,502 *		Mark A. Moraes	01/11/2000	<i>RECEIVED SEP 18 2002 Technology Center 2100</i>
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<b>FOREIGN PATENT DOCUMENTS</b>						
Examiner Initial	Cite No.	Foreign Patent or Application		Name of Patentee or Applicant of Cited Document	Date of Publication or Filing Date of Cited Document	Pages, Columns, Lines, Where Relevant Figures Appear
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